

**City of Somerville, Massachusetts
Matters of Business of the Board of Aldermen**

MINUTES OF THE REGULAR MEETING

October 11, 2007, 7:00 PM
Aldermanic Chambers

NOTICE: This is NOT the official version of the Board of Aldermen's minutes. While reasonable efforts have been made to assure the accuracy of the data provided, do not rely on this information without first checking with the City Clerk.

PRESENT for all or part of the meeting: Vice President Dennis M. Sullivan, Aldermen John M. Connolly, Bruce M. Desmond, William A. White Jr., William M. Roche, Maryann M. Heuston, Thomas F. Taylor, Walter F. Pero, Sean T. O'Donovan, Rebekah L. Gewirtz.

OPENING OF THE MEETING

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| 1. | Roll Call | Call of the Roll. | 184243
Placed on File |
| 2. | Minutes | Approval of the minutes of the Regular Meeting of September 20, 2007. | 184244
Approved |

CITATIONS

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|----|----------|---|--------------------|
| 3. | Citation | By Ald. Trane and the Entire Board, Commending Christopher Daveta on eight years of service to the City as Project Manager in SPCD. | 184245
Approved |
| 4. | Citation | By Ald. Taylor and the Entire Board, Congratulating Mary Kate Ring on the auspicious occasion of her 100 th birthday. | 184246
Approved |

PUBLIC HEARINGS

None

**ORDERS, ORDINANCES, RESOLUTIONS
AND MOTIONS OF MEMBERS**

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| 5-10. | | Not Used. | |
| 11. | Order | By Ald. Pero, That the Director of Traffic and Parking install a NO RIGHT TURN sign at the exit of the City Hall Annex parking lot. | 184247
Approved |

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| 12. | Order | By Ald. Pero, That the Director of Traffic and Parking install a NO LEFT TURN sign at the Marshall St. end of Evergreen Ave. | 184248
Approved |
| 13. | Order | By Ald. Pero, That the Director of Public Works replace the tree at 50 Sargent Ave. | 184249
Approved |
| 14. | Order | By Ald. Pero, That the Director of Public Works paint lane markers on the roadway from Temple St. to Mystic Ave. | 184250
Approved |
| 15. | Order | By Ald. Pero, Sullivan, Desmond, Connolly and White, That the Director of Traffic and Parking install Shore Dr. street signs at all Shore Dr. intersections. | 184251
Approved |
| 16. | Order | By Ald. Taylor, That the Director of SPCD update the Ward 3 Alderman on 199 Summer St. and any future plans to remove the boarded-up windows. | 184252
Approved |
| 17. | Order | By Ald. Taylor, That the Commissioner of Public Works repair the cracked sidewalk panel at 4 Highland Ave. | 184253
Approved |
| 18. | Order | By Ald. Taylor, That the Director of Public Works repair the cracked sidewalk panel at 44 Columbus Ave. | 184254
Approved |
| 19. | Order | By Ald. Taylor, Sullivan, White and Roche, That the Chief of Police add the parking area in the rear of 25 Highland Ave. to the regular patrol due to vandalism there. | 184255
Approved |
| 20. | Order | By Ald. Roche, That the Director of Traffic and Parking install GO SLOW - CHILDREN signs on Alston St. | 184256
Approved |
| 21. | Resolution | By Ald. Roche, White, Sullivan, Desmond and Connolly, That this Board requests that the Administration update the Ward 1 Alderman and the Aldermen at Large on the vagrants congregating in the wooded area behind Broadway Brake and adjacent to I-93. | 184257
Approved |
| 22. | Order | By Ald. Roche, That the City Solicitor advise this Board of the legality of issuing food businesses a property tax for the proportional use of the sidewalks used for seating patrons. | 184258
Approved
Copy to Finance & Legislative Matters |
| 23. | Order | By Ald. Roche, Pero, Sullivan, Desmond, Connolly and White, That the Commissioner of Public Works and the Director of Health install DO NOT FEED THE PIGEONS signs at Fellsway West and Broadway, along the median separating Foss Park from Broadway, near Stimpson Sq., and at points around Union Sq. | 184259
Approved |

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| 24. | Order | By Ald. Sullivan and Gewirtz, That the City Solicitor report to this Board the process by which a Zoning Board of Appeals decision can be reconsidered. | 184260
Approved |
| 25. | Order | By Ald. Sullivan and Roche, That the Chief of Police conduct traffic enforcement at the corner of Pearl and Medford Sts. and issue citations for the illegal left hand turn motorists take into the gas station. | 184261
Approved |
| 26. | Order | By Ald. Sullivan and Roche, That the Chief of Police order a directed patrol on Otis St. | 184262
Approved |
| 27. | Order | By Ald. Sullivan and Roche, That the Chief of Police increase traffic enforcement at Broadway and Hathorn St. | 184263
Approved |
| 28. | Resolution | By Ald. Sullivan and Trane, That this Board requests that the Administration provide an update on when funds will be requested for the handicapped chair lift at the Traffic and Parking Building on Holland St. | 184264
Approved |
| 29. | Order | By Ald. Sullivan and Trane, That the Director of Traffic and Parking replace the missing street sign for Electric Ave. at Mason St. | 184265
Approved |
| 30. | Order | By Ald. Sullivan, Roche, Trane White, Desmond and Connolly, That the City Solicitor report to this Board all legal options available to compel the owner of 50 Tufts St. to demolish the structure. | 184266
Approved as Amended:
That the City Solicitor also report on options to remediate the pollution |
| 31. | Order | By Ald. Sullivan, Roche, Trane White, Desmond and Connolly, That the Chief of Police provide this Board with the policy and procedures for the use of the Connect CTY system in issuing public safety bulletins. | 184267
Approved |
| 32. | Order | By Ald. Sullivan, Roche, Trane, White, Desmond and Connolly, That the Director of SPCD update this Board on how many trash ordinance violations and warnings were issued this year and how many were appealed, by ward. | 184268
Approved
Copy to Public Utilities & Works |
| 33. | Order | By Ald. Sullivan, Roche, White, Desmond and Connolly, That the Director of Traffic and Parking update this Board on #183786 and #183787, from the July 26, 2007, meeting. | 184269
Approved |
| 34. | Order | By Ald. Sullivan, Trane, Desmond and Connolly, That the Commissioner of Public Works contact DCR to request that the port-a-potty at Dilboy Field be unlocked during youth sporting events including practices and that additional trash cans be added and trash removed on a regular schedule. | 184270
Approved |

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| 35. | Order | By Ald. O'Donovan, That the Director of Traffic and Parking re-stripe all faded yellow single and double lines, citywide, beginning with the major roadways. | 184271
Approved |
| 36. | Order | By Ald. O'Donovan, That the Director of Traffic and Parking report to this Board his opinion on a crosswalk on Medford St. between Trull and Central Sts. | 184272
Approved |
| 37. | Order | By Ald. O'Donovan and Gewirtz, That the Commissioner of Public Works provide this Board with all findings on the fencing at the Brown School, including engineering reports. | 184273
Approved |
| 38. | Resolution | By Ald. O'Donovan, Heuston, Desmond and White, That this Board requests that the Administration consider naming the open space by the Durrell School on Beacon St. in honor of Jim Stace and the late Gerry Redmond, who successfully fought the state's plan to reconstruct Beacon St. into the Route 2 Extension. | 184274
Approved |
| 39. | Order | By Ald. Gewirtz, That the Commissioner of Public Works direct NStar to remove the double pole at 155 Elm St. | 184275
Approved
Copy to Public Utilities & Works |
| 40. | Order | By Ald. Gewirtz, That the Commissioner of Public Works direct NStar to repair the street lights at 160 Orchard St. and 53 Lowden Ave. | 184276
Approved |
| 41. | Order | By Ald. Gewirtz, That the Director of Traffic and Parking place a pedestrian crossing button and signal on the pole on the northwest and northeast corners of Willow Ave. and Summer St. | 184277
Approved |
| 42. | Order | By Ald. Gewirtz, That the Commissioner of Public Works report to the Ward 6 Alderman the feasibility of installing a drain in the street at 10 Cutter Ave. | 184278
Approved |
| 43. | Resolution | By Ald. Gewirtz, That this Board requests that the Administration and Assessor make information about the Property Tax Deferral Program more readily accessible to residents, as it is underutilized but significantly benefits income eligible residents over 65. | 184279
Approved as Amended:
That this info go to Finance, and that the Assessor & CFO present it at a Regular BOA meeting;
Copy to Finance |
| 44. | Resolution | By Ald. White, That this Board requests that the Administration direct SPCD and the Assessor to analyze the impact of condominium conversions from 2002 through 2006, and include the likely demographic groups that were impacted, and their effect on city finances. | 184280
Approved |

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| 45. | Order | By Ald. Connolly, That the Commissioner of Public Works repair or replace the depressed roadway and asphalt sidewalk at 58 Day St. | 184281
Approved |
| 46. | Order | By Ald. Connolly and Gewirtz, That the Chief of Police add additional patrols to the Elm St., Holland St., College Ave. and Highland Ave. areas, as several storefront windows have been vandalized in the early morning hours recently. | 184282
Approved |
| 47. | Order | By Ald. Connolly, That the Commissioner of Public Works contact NStar to request a written report for this Board, prior to its next regular meeting, on the future of their transfer station on Willow Ave. | 184283
Approved |

UNFINISHED BUSINESS

None

REPORTS OF COMMITTEES

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| 48. | Committee Report | Report of the Committee on Finance, Oct. 2. | 184284
Approved |
| 48A. | Mayor's Request | Requesting an appropriation of the remaining balance of \$356,902 from the Edgerly (Capuano) School Land Acquisition Bond Issue to the Argenziano School Construction Project. | 181681
Approved |
| 48B. | Officer's Request | Acting Treasurer/Tax Collector submitting her Public Official's Bonds for approval. | 183919
Approved |
| 48C. | Mayor's Request | Requesting an appropriation of \$285,090.05 from the Traffic and Parking Mitigation Acct. to establish a Traffic Safety Stabilization Fund under MGL c40 s5B, for traffic and pedestrian safety improvements. | 183966
Approved |
| 48D. | Mayor's Request | Requesting an appropriation of \$10,000 from the RCG 17 Ivaloo Trust Mitigation Acct. to establish a Traffic Safety Stabilization Fund under MGL c40 s5B, for traffic and pedestrian safety improvements. | 183967
Approved |
| 48E. | Mayor's Request | Requesting approval of an application for a grant of \$495,000 for SPCD to renovate Central Hill Park. | 184064
Approved |
| 48F. | Mayor's Request | Requesting approval for an appropriation of \$785,000 for the renovation of Hodgkins Park and Ballfield and authorization for the Treasurer to issue a bond. | 184065
Approved |
| 48G. | Mayor's Request | Requesting approval for an appropriation of \$440,000 for the purchase of Fire Dept. equipment and authorization for the Treasurer to issue a bond. | 184066
Approved |

48H.	Mayor's Request	Requesting approval for an appropriation of \$395,000 for the renovation of Albion Park and authorization for the Treasurer to issue a bond.	184067 Approved
48I.	Mayor's Request	Requesting approval for an appropriation of \$395,000 for the renovation of Grimmons park and authorization for the Treasurer to issue a bond.	184068 Approved
48J.	Mayor's Request	Requesting approval to discontinue the Powderhouse Community School Renovation Project and appropriate \$488,954 in unused bond proceeds for repairs to public buildings under FY08 Capital Investment Plan.	184069 Approved
48K.	Mayor's Request	Requesting approval to expend a grant of \$437,752 from the State Office of Transportation to SPCD for the Union Sq. Roadway and Streetscape Improvement Project.	184076 Approved
48L.	Mayor's Request	Requesting approval to expend a grant of \$200,000 from the EPA Brownfields Cleanup fund to SPCD for remediation of the city-owned property at 112A Central St.	184077 Approved
48M.	Mayor's Request	Requesting approval to expend a grant of \$30,990 from the MA Cultural Council for Arts Council programming.	184078 Approved
48N.	Mayor's Request	Requesting approval to expend a grant of \$8,000 from Federal Realty Investment Trust to support youth activities.	184079 Approved
48O.	Mayor's Request	Requesting approval to expend a grant of \$7,246.63 from The MA DOR Underground Storage Tank Grant Program to the Office of Sustainability & Environment for removing or replacing underground storage tanks.	184080 Approved
48P.	Mayor's Request	Requesting approval to expend a grant of \$2,000 from the Linda F. Zucker Memorial Youth Fund for the Arts Council's Art in the Garden summer program.	184081 Approved
48Q.	Mayor's Request	Requesting approval for the use of \$18,621 in available funds in the SomerStat Salaries Acct. to extend a ResiStat Analyst from 25 hours/week to full-time.	184214 Not Approved
48R.	Mayor's Request	Requesting approval to expend a grant of \$8,000 from the MA Cultural Council for FY08 for the Arts Council Books of Hope Program.	184215 Approved
48S.	Mayor's Request	Requesting approval to expend a grant of \$6,000 from the MA Cultural Council for FY08 for the Arts Council.	184216 Approved
48T.	Mayor's Request	Requesting acceptance of \$74,000 in environmental mitigation funds from P. Gioioso and Sons Inc. for the Kiley Barrel site.	184236 Approved

48U.	Order	By Ald. Heuston, That the Environment Programs Manager update this Board on the Kiley Barrel site incident with information on the risks to the community of what was released into the air.	184285 Approved
49.	Committee Report	Report of the Committee of the Whole on Legislative Matters, Oct. 2.	184286 Approved
49A.	Mayor's Request	Requesting approval of a Home Rule Petition to authorize the Commissioner of Capital Asset Management and Maintenance to grant easements to the City and convey certain land to FR Sturtevant Street LLC.	183909 Approved
50.	Committee Report	Report of the Committee on Confirmation of Appointments, Oct. 9.	184287 Approved
50A.	Mayor's Request	Requesting the appointment of Elizabeth Craveiro to the position of City Treasurer/Collector.	184217 Approved
50B.	Mayor's Request	Requesting the appointment of Renate Harrison to the Fair Housing Commission.	184221 Approved
50C.	Mayor's Request	Requesting the appointment of Ashraf Hegazy to the Human Rights Commission.	184222 Approved
50D.	Mayor's Request	Requesting approval of the promotion of Stephen Carrabino and David Fallon to the position of Police Lieutenant.	184234 Approved
50E.	Mayor's Request	Requesting approval of the promotion of Bruce Campbell and James Donovan to the position of Police Sergeant.	184235 Approved
51.	Committee Report	Report of the Committee on Public Health & Public Safety, Oct. 9.	184288 Approved as Amended: Include item #51B
51A.	Order	By Ald. Pero, That the Director of Communications notify all residents, via the City's Connect CTY system, of new fire lanes upon their approval.	184289 Approved
51B.	Order	By Ald. White, That the City Solicitor attend a meeting of the Public Health & Safety Committee to discuss the jurisdiction of the Traffic Commission	184290 Approved Copy to Public Health & Safety
52.	Committee Report	Report of the Committee on Senior Services, Oct. 9.	184291 Approved
52A.	Order	By Ald. Taylor, That the Director of Traffic and Parking check the visual and audible traffic signals at Highland Ave. and Walnut St. and at Highland Ave. and Medford St.	184292 Approved

52B.	Order	By Ald. Taylor, That the Director of Public Works inspect the streetlights around Faulkner Tower for proper operation.	184293 Approved
52C.	Order	By Ald. Sullivan, That the City's ADA Coordinator inform taxi drivers of their legal obligations regarding guide dogs.	184294 Approved
52D.	Resolution	By Ald. White, That this Board requests that the Administration include funding for the Senior Arts and Crafts program in the next fiscal budget.	184295 Approved
53.	Committee Report	Report of the Committee on Licenses & Permits, Oct. 10.	184296 Approved
53A.	Used Car	Amending Used Car Dealer's License, Inman Capital Cars Inc. requesting an amendment to change their "doing business as" name to Master Used Cars at 121 Prospect St.	184237 Approved
53B.	Flammable	New Flammables License, Auto Fair, 369 Beacon St., 25,520 gallons.	184239 Approved, Hours Sun-Sat 7AM-10PM
53C.	Garage	New Garage License, Auto Fair, 369 Beacon St., for mechanical repairs, autobody, vehicle washing, charging for parking, storing unregistered vehicles, and operating a tow vehicle, 5AM-8PM, Sunday-Saturday, all for 2 autos inside and 5 outside.	184240 Approved as Amended: No car washing, limited tow truck operation, no auto body, limited mechanical work, hours Mon-Sat 7AM-10PM

COMMUNICATIONS OF THE MAYOR

54.	Mayor's Request	Requesting authorization to borrow \$948,053 for participation in the MWRA Local Pipeline Assistance Program.	184297 Finance
55.	Mayor's Request	Requesting approval to transfer \$925,181 from the Salary Contingency Acct. to the Police Salaries Acct. to fund the FY08 salary and wage provisions of the Agreement with the Police Employees Association, from 7/1/04 to 6/30/08.	184298 Approved BOA convened in Exec. Session for this and #75, 1 vote on #75 only
56.	Mayor's Request	Requesting approval to appropriate \$135,825 from the Capital Projects Stabilization Fund to the Public Works Building & Grounds Capital Equipment Acct. to purchase 35 "Big Belly" Barrel Cordless Compaction Systems.	184299 Finance
57.	Mayor's Request	Requesting approval to transfer \$1,558 from Salary Contingency Acct. to Exec. Administration Salaries Acct. for the longevity component of a salary adjustment that was partially implemented last year.	184300 Approved

58.	Mayor's Request	Requesting approval to transfer \$100 from the Election Postage Acct. to the Equipment Acct. to cover the cost of circular voting booths.	184301 Approved
59.	Mayor's Request	Requesting approval to pay a prior year invoice of \$6,187.56 in the DPW for Waste Management.	184302 Finance
60.	Mayor's Request	Requesting approval to expend a grant of \$345,680 from the MA Exec. Office of Public Safety to the Police for Community Policing.	184303 Finance
61.	Mayor's Request	Requesting approval to expend a grant of \$4,125 for intergenerational program support from the Somerville Health Foundation to the Council on Aging.	184304 Approved
62.	Mayor's Request	Requesting the appointment of Michael Mattera as a Firefighter.	184305 Approved
63.	Mayor's Request	Requesting the appointment of Richard Graf as an Associate Member of the Planning Board.	184306 Conf. of Appointments
64.	Mayor's Comm.	Proclaiming Oct. 24, 2007 as "United Nations Day".	184307 Placed on File

COMMUNICATIONS OF CITY OFFICERS

65.	Officer's Comm.	Animal Control Officer and Director of Public Health responding to #184181.	184308 Placed on File
66.	Officer's Comm.	Director of SPCD responding to various Board Orders.	184309 Placed on File

NEW BUSINESS

67.	Public Occ	Public Occupancy Permit, Bookwalters 4 th Birthday Party, Lexington Park, Oct. 13, 11:30-2PM.	184310 Approved
68.	Public Occ	Public Occupancy Permit, Pride Girls Basketball Canning Drive, Various Locations, Nov. 3, 8-2PM.	184311 Approved
69.	Garage	Renewal of Garage License, Mass Auto Repair, 627-631 Somerville Ave., 14 autos.	184312 Licenses & Permits
70.	Garage	Renewal of Garage License, NStar Electric & Gas Corp., 181 McGrath Highway, 20 autos.	184313 Licenses & Permits
71.	Used Car	Renewal of Used Car Dealer License, Frank & Ed's Automotive, 483 Somerville Ave., 6 autos.	184314 Licenses & Permits

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| 72. | Extended Retail Hrs | New Extended Retail Hours Permit, Wings Over Somerville, 519 Somerville Ave., Fri. & Sat. until 2AM. | 184315
Licenses & Permits |
| 73. | Comm. | Peter Ungar, Foss Park Neighborhood Association, re: residential permit parking on Fellsway West. | 184316
Placed on File |
| 74. | Comm. | Peter Ungar, Foss Park Neighborhood Association, re: traffic calming on Fellsway West. | 184317
Placed on File |

LATE ITEMS

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|-----|-------------------|--|---|
| 75. | Officer's Request | City Clerk requesting that this Board convene in Executive Session to consider the release of certain Executive Session Minutes, the publication of which would not longer defeat the purposes of the Executive Session. | 184318
Approved
BOA convened in Exec. Session for this and #55, 1 vote on this only |
| 76. | Order | By Ald. O'Donovan, That the Chief of Police conduct speed traps at 109 Hudson St. to deter speeding vehicles and increase public safety. | 184319
Approved |
| 77. | Order | By Ald. Sullivan, Connolly and Taylor, That the Director of Traffic and Parking install a traffic signal to allow residents of 252 Medford St. to exit their parking lot. | 184320
Approved as Amended:
That Traffic & Parking increase enforcement |
| 78. | Order | By Ald. Sullivan, Connolly and Taylor, That the Chief of Police and the Director of Traffic and Parking increase the no parking enforcement on Medford St., immediately preceding the entrance to 252 Medford St. | 184321
Approved |
| 79. | Order | By Ald. Sullivan, Connolly and Taylor, That the Commissioner of Public Works repair the ground near the entrance gate to the dog park to prevent animal egress. | 184322
Approved |
| 80. | Order | By Ald. Connolly & Taylor, That the Director of SPCD act to compel the owner of the vacant lot on Beech St., adjacent to 36 Atherton St. (Round House), to clear the vegetation that is providing cover for possible illegal activities. | 184323
Approved |
| 81. | Officer's Comm. | Chief of Police responding to various Board Orders. | 184324
Placed on File |
| 82. | Mayor's Request | Requesting approval of an appropriation and bond of \$475,000 for the construction of the Trum Field Fieldhouse. | 184325
Finance |
| 83. | Mayor's Request | Requesting approval of the re-appointment of Andrew Upton to the Licensing Commission. | 184326
Approved |

Submitted by John J. Long, City Clerk